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IN THE SENATE OF THE UNITED STATES.

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MAY 19, 1896.—Ordered to be printed.

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Mr. BAKER, from the Committee on Pensions, submitted the following

REPORT:

[To accompany S. 3001.]

The Committee on Pensions, to whom was referred the bill (S. 3001) granting a pension to Alfred Bigelow, of Norfolk, Nebr., having had the same under consideration, beg leave to report as follows:

Alfred Bigelow was a private soldier in Company A, Nineteenth New York Cavalry, formerly One hundred and thirtieth New York Infantry, and designated as the First New York Dragoons, enrolled August 7, 1862, and honorably discharged June 30, 1865.

It is made to appear from the evidence that for over twelve years he has been totally unable to perform manual labor by reason of disabilities consisting of rheumatism, chronic diarrhea, heart disease, and dropsy, the results of hardships and exposure while in the line of his duty in the Army of the United States during the term of his enlistment. These facts, as far as can be proven by witnesses, have been fully established.

Bigelow made application to the Commissioner of Pensions for a pension on the grounds of muscular rheumatism contracted at Dismal Swamp, Virginia, September 15, 1862; chronic diarrhea contracted in October, 1862, and rheumatism resulting from the same at Fremont, Nebr., in August, 1871, and he states that he had rheumatism in the service.

D. W. Greene, special examiner, in a report made at Sioux Falls, S. Dak., April 29, 1896, says:

This claimant was well reported to me in the vicinity of Vermilion, S. Dak., where it seems he has made his home periodically and where I made several former unsuccessful attempts to find him.

It appears that he divides his time between living in Nebraska and South Dakota; therefore I have not been able to find this claimant until to-day, he having only recently returned to Vermilion.

After making known to the claimant all his rights and privileges in the matter of waiving further notice, he wished to proceed at once upon the examination, very early in which he made known his preference to prosecute his claim under the new law, dated May 7, 1891, and to abandon all other claims made by him for increase, as he stated that it would be impossible for him, after a lapse of thirty years or more, to furnish the required evidence of origin and continuance which would secure a speedy settlement of his claim for increase; and while unable to furnish anything additional, as will be seen from his statement herewith, he referred to any or all original deponents in his case as to the facts that might be desired to detail in examination of anything pertaining to his claims, but particularly requested that as speedy action as possible might be taken upon his claim under the act of June 27,

1890. Therefore, there were no other witnesses to be seen by me in this district and nothing further appears necessary to be taken in the field excepting the further examination at his home in Norfolk, Nebr., as soon as he can return there, and to submit to an examination of the surgeons' board to determine his rating under the law of June 27, 1890.

From the claimant's appearance in my presence, his manner of stating what he did, and his reasons given for preferring an early settlement under the new law claim, and his abandonment of all further prosecution under the old law for increase, I believe this claim to be meritorious.

I informed him that it would probably be necessary for him to submit to an examination of some board to determine the degree of his present disability; therefore, to facilitate the settlement of the claim, I gave him an order to appear before the Norfolk board for such examination as soon as he could conveniently return to his home and present himself, which will probably be earlier than the claim can be sent back to Special Examiner Reppert, in whose district the witnesses reside who are to be further seen in his case.

Bigelow made affidavit before D. W. Greene, special examiner, in which he says:

My age is 58; occupation, farming; my post-office, Norfolk, Nebr. I served in Company A, Nineteenth New York Cavalry, from August 7, 1862, till July 17, 1865, i. e., we were paid then, but discharged June 30, 1865.

I am the identical person who now draws a pension of \$6 per month for rheumatism, which was granted under the general law of July, 1862, and I have now applied for a pension under the act of June 27, 1890. I made subsequent application for increase under the general law dated May 24, 1892, which I desire to drop and to have my declaration of May 7, 1891, under the new law considered, and no other. Although I suffer from rheumatism and from diarrhea, which I incurred in the service, and have sent in proofs of the same, yet I now prefer to have my claim under the act of June 27, 1890, considered, because I can more quickly show my condition and get a settlement of my claim than I could under the general law after so many years, as I would be expected to furnish proofs as to the origin and continuance of my army disabilities.

I am entirely disabled for the performance of any hard labor by rheumatism and heart trouble mostly now, both of which leave me disabled totally for any manual labor.

My habits are temperate and always have been, and none of my disabilities are the result of my improper habits.

I was honorably discharged from Company A, First New York Dragoons, June 30, 1865, after serving continuously from August 7, 1862, in that and other organizations to which the dragoons were transferred. We also served as One hundred and thirtieth New York Infantry, but all under the same dragoon enlistment, and so was our service in the Nineteenth New York Cavalry all from the First Dragoon enlistment. I also suffer from malarial effects, my liver and my heart trouble me badly and have prevented me from performing any manual labor for the last twelve years.

I doctor myself mostly now, but you can examine anyone who has known me as to my condition lately and as to my good habits, and my present disability can be shown by any board of examining surgeons in South Dakota or Nebraska. Probably the Norfolk board would be a little more convenient for me than the Columbus or Neligh boards in Nebraska.

Dr. Daniels, postmaster at Norfolk, Nebr., and Mr. W. H. Witterman, of the same place, or almost any old settler there, will know of my good habits and of my disabilities for several years.

ALFRED BIGELOW.

Thirty-three citizens of Norfolk, Nebr., who are and have been for many years well acquainted with the applicant, among whom is Dr. Alexander Bear, president of the United States pension examining board, stating that the applicant has—

Lived among us for twenty-five years, and is in every way reliable, and has for over twelve years been totally unable to perform any manual labor by reason of disabilities, consisting of rheumatism, chronic diarrhea, heart disease, and dropsy, which we have every reason to believe are the direct results of hardships and exposure while in line of duty in the service of the United States, which facts, so far as can be proven by witnesses now living, have been fully set up, and are on file in the Pension Department.

He asserts—and we have every reason to believe his statement—that he participated in 14 general engagements and numerous skirmishes and raids; camped for

nine months in the fall, winter, and early spring of 1862 and 1863 in what was called the Dismal Swamp, near Suffolk, Va., frequently raiding from there to Blackwater, Va., continually exposed to severe, inclement weather and dangerous malaria, which proved fatal to an alarming extent among his comrades; that at the battle of the Deserted Farm, near Suffolk, Va., a rebel shell killed two companions, one on each side of him, and severely wounded three others; tore his gun and cap to pieces, rendering him unconscious for over an hour, and that upon recovering consciousness he manfully resumed duty, supplying himself with a dead comrade's gun and cap, when he could have been honorably excused. \* \* \*

From the concussion from the continuous firing of a gun he became partially deaf, from which he has never fully recovered; and one of his companions at the time is now drawing a pension for deafness contracted at the same time and place; and that by reason of the exposure endured at this time his health was so seriously impaired he was unfit for duty for some time, and was confined in a hospital at Yorktown, Va.; that at a charge on the Bull Run battle ground he was knocked from his horse by a severe blow from a carbine on the right leg, producing acute rheumatism, from which he still so severely suffers that he has been for years compelled to use a cane.

These persons also state that—

In view of the above facts and by reason of the extreme difficulty of procuring adequate testimony to warrant the Pension Department in granting him a pension commensurate with his disabilities, evidently of service origin, yet so difficult to establish, we therefore petition your honorable bodies that, by special legislation, a law be enacted, if consistent, granting the said Alfred Bigelow a pension of \$18 per month from and after May 10, 1891, the date of his filing application for increase, less the \$6 per month he has already received, firmly believing him justly entitled to the relief passed for.

Your committee, upon the evidence submitted and examined, recommend the passage of the bill.

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